

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

NSC WHOLESALE HOLDINGS LLC., *et al.*,Debtors.¹

Chapter 11

Case No. 18-12394 (CSS)

(Jointly Administered)

NSC LIQUIDATING TRUST,

Plaintiff,

Adv. Proc. No. 20-50899 (CSS)

V.

HADDAD INTERNATIONAL LLC,

Defendant.

REQUEST FOR ENTRY OF DEFAULT

TO: THE CLERK OF THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

The NSC Liquidating Trust (the “Trust” or the “Plaintiff”), by and through its attorneys Gibbons P.C., hereby requests that a default be entered against Haddad International LLC (the “Defendant”) pursuant to Fed. R. Civ. P. 55(a) and Fed. R. Bankr. P. 7055, for its failure to plead, otherwise defend or enter an appearance in the above-captioned adversary proceeding, and in support thereof says:

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: NSC Wholesale Holdings LLC (6210); National Wholesale Liquidators of Lodi, Inc. (4301); NSC Realty Holdings LLC (4779); NSC of West Hempstead, LLC (5582); Top Key LLC (7503); BP Liquor LLC (2059); and Teara LLC (8660).

1. On October 14, 2020, the Plaintiff commenced an adversary proceeding against Defendant seeking to recover preferential payments in the total amount of \$26,946.27, under §§ 547 and 550 of the Bankruptcy Code (the “Complaint”).

2. In accordance with the Complaint, the Plaintiff shall have, receive and recover of and from the Defendant the sum of \$26,946.27 plus court costs of \$350.00.

3. A Summons and Notice of Pretrial Conference (the “Summons”) was issued on December 7, 2020, and together with the Complaint, was served by the Plaintiff on the Defendant on December 8, 2020, in accordance with Fed. R. Bankr. P. 7004(a),(b)(3), and Fed. R. Civ. P. 4(c), addressed as follows:

Haddad International LLC
330 Hurst Street
Linden, NJ 07036
Attn: Alan Haddad and Officer, Managing or General Agent

The Certificate of Service of the Summons and Complaint was filed with the Court, a copy of which is attached hereto as Exhibit “A”

4. The Summons stated that the Defendant was required to file a response to the Complaint within thirty (30) days after the date of issuance.

5. The Defendant failed to answer or otherwise defend within the time required by the Summons and Fed. R. Civ. P. 12, made applicable by Fed. R. Bankr. P. 7012.

6. The requirements of the Servicemembers Civil Relief Act [50 U.S.C. App § 501 *et seq.*] are not applicable to this proceeding as the Defendant is not an individual.

7. The Affidavit of Counsel in Support of Plaintiff’s Request for Default is attached hereto as Exhibit “B” and incorporated herein by reference:

Dated: March 10, 2021
Wilmington, Delaware

GIBBONS P.C.

By: /s/ Howard A. Cohen

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